

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF ALABAMA  
NORTHERN DIVISION**

<b>EMPLOYERS MUTUAL CASUALTY COMPANY,</b>	)	
	)	
	)	
<b>Plaintiff,</b>	)	
	)	
<b>v.</b>	)	<b>Civil Action No. 2:05cv602-T</b>
	)	
<b>OLLIE WADSWORTH; and JOSEPH M. PIEL,</b>	)	
	)	
	)	
<b>Defendants.</b>	)	

**ANSWER AND DEMAND FOR JURY TRIAL**

**JOSEPH M. PIEL** (“this Defendant”) files his Answer to Plaintiff’s First Amended Complaint as well as a demand for a trial by jury and states:

**First Defense**

1. This Defendant admits the allegations set forth in Paragraph 1 of the Plaintiff’s Complaint.
2. This Defendant admits the material allegations set forth in Paragraph 2 of the Plaintiff’s Complaint.
3. This Defendant admits the material allegations set forth in Paragraph 3 of the Plaintiff’s Complaint.
4. This Defendant admits the material allegations set forth in Paragraph 4 of the Plaintiff’s Complaint.

5. This Defendant has insufficient information to either admit or to deny the material allegations set forth in Paragraph 5 of the Plaintiff's Complaint and, as a result, denies the same and demands strict proof thereof.

6. This Defendant admits the material allegations set forth in Paragraph 6 of the Plaintiff's Complaint.

7. This Defendant has insufficient information to either admit or to deny the material allegations set forth in Paragraph 7 of the Plaintiff's Complaint and, as a result, denies the same and demands strict proof thereof.

8. This Defendant has insufficient information to either admit or to deny the material allegations set forth in Paragraph 8 of the Plaintiff's Complaint and, as a result, denies the same and demands strict proof thereof.

9. This Defendant denies each and every material allegation set forth in Paragraph 9 of the Plaintiff's' Complaint and demands strict proof thereof.

10. The remaining paragraphs of Plaintiff's Complaint do not require a response, but to the extent one is deemed required, this Defendant denies each and every material allegation set forth therein and demands strict proof thereof.

### **Second Defense**

This Defendant avers that the Plaintiff's Complaint fails to state a cause of action against him.

**Third Defense**

This Defendant denies each and every material allegation in the Plaintiff's Complaint to the extent not admitted above, and demands strict proof of each claim or allegation not expressly admitted.

**Fourth Defense**

This Defendant pleads the general issue.

**Fifth Defense**

This Defendant pleads the defense of lack of subject matter jurisdiction.

**THIS DEFENDANT DEMANDS A TRIAL BY STRUCK JURY ON ALL ISSUES SO  
TRIALABLE**

Respectfully Submitted,

/s/ Brian P. Strength  
JOCK M. SMITH (SMIO47)  
BRIAN P. STRENGTH (STR052)  
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**CERTIFICATE OF SERVICE**

I hereby certify that I have served a copy of the foregoing upon counsel listed below by electronic notification, on this the 18 day of July 2005;

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/s/ Brian P. Strength

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